

REMARKS

Applicant respectfully requests reconsideration and allowance of this application in view of the amendments above and the following comments. Furthermore, as the arguments place the case in condition for allowance, and no new issues are raised, it is requested that this response be entered after final rejection.

The examiner takes the position that the claims are obvious over the Andoussset reference US 5578087, in view of US 4003699 to Rose. Andoussset teaches a composition containing

- (1) benzimidazole derivative
- (2) metaphenylenediamine
- (3) para or ortho oxidation dye precursor

The examiner refers to columns 3 and 5 of the reference, stating that Andoussset teaches 3-chloro-p-aminophenol and 2,4-diamonobenzenes (which are given as examples for components (2) and (3) above). The examiner discusses morpholinophenol, but this appears to be an error from a related case, as this compound is not claimed in the present invention. Rather, claimed component (b) is an aminophenol, which are taught generally in column 3 of Andoussset as well.

However, the Andoussset compounds are selected by the examiner from a long list of compounds. Nowhere does Andoussset teach the applicant's invention wherein all 3 compounds are required in a single composition. Rather, the reference merely suggests some options for component (3), as 'one or more'. None of the examples of the reference teach or suggest the specific claimed combination.

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Amendment in Response to Office Action dated October 5, 2004

In fact, Audousset teaches away from applicant's invention, as the reference requires that the composition additionally contain benzimidazole. It is a far stretch from a teaching of a composition requiring benzimidazole and a chosen compound from a long list of additional compounds, to reach applicant's invention. As the focus of Audousset is on the novel effect of the prime component benzimidazole, the skilled artisan would simply not look to this reference for a specific combination of three types of components chosen from among the many listed coupling/developing agents.

Wherefore, withdrawal of the rejection and allowance of all claims is earnestly solicited.

Respectfully submitted,

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